

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-25 (cancelled)

Claim 26 (currently amended): An isolated polynucleotide comprising:

- (a) a nucleotide sequence encoding a polypeptide having diacylglycerol acyltransferase activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:16 have at least 90% 95% sequence identity, based on the Clustal alignment method with pairwise alignment default parameters of KTUPLE=1, GAP PENALTY=3, WINDOW=5 and DIAGONALS SAVED=5, or
- (b) the full-length complement of the nucleotide sequence of (a).

Claims 27-29 (canceled)

Claim 30 (previously presented): The polynucleotide of claim 26, wherein the nucleotide sequence comprises the nucleotide sequence of SEQ ID NO:15.

Claim 31 (previously presented): The polynucleotide of claim 26, wherein the amino acid sequence of the polypeptide comprises the amino acid sequence of SEQ ID NO:16.

Claim 32 (previously presented): A vector comprising the polynucleotide of claim 26.

Claim 33 (previously presented): A recombinant DNA construct comprising the polynucleotide of claim 26 operably linked to at least one regulatory sequence.

Claim 34 (previously presented): A method for transforming a cell comprising transforming a cell with the polynucleotide of claim 26.

Claim 35 (previously presented): A cell comprising the recombinant DNA construct of claim 33, wherein the cell is selected from the group consisting of a bacterial cell, a yeast cell and a plant cell.

Claim 36 (previously presented): A virus comprising the recombinant DNA construct of claim 33.

Claim 37 (previously presented): A method for producing a transgenic plant comprising transforming a plant cell with the polynucleotide of claim 26 and regenerating a transgenic plant from the transformed plant cell.

Claim 38 (previously presented): A plant comprising the recombinant DNA construct of claim 33.

Claim 39 (previously presented): A seed comprising the recombinant DNA construct of claim 33.

Claim 40 (previously presented): A method for isolating a polypeptide encoded by the recombinant DNA construct of claim 33 comprising:

- (a) transforming a cell with the recombinant DNA construct of Claim 33;
- (b) growing the transformed cell of step (a) under conditions suitable for expression of the recombinant DNA construct; and
- (c) isolating the polypeptide from the transformed cell of step (b).